

Forty-eighth Legislature  
Second Regular Session

COMMITTEE ON TRANSPORTATION

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1291

(Reference to Senate engrossed bill)

1 Page 2, between lines 24 and 25, insert:

2 "E. A PERSON IN THIS STATE HAS THE RIGHT TO CHOOSE ANY REPAIR FACILITY  
3 FOR THE REPAIR OF A MOTOR VEHICLE. IF A TOWING COMPANY PROVIDES INFORMATION  
4 ABOUT A REPAIR FACILITY, THE TOWING COMPANY SHALL INFORM THE PERSON OF THIS  
5 RIGHT AT THE SAME TIME AS MAKING THE RECOMMENDATION OR PROVIDING THE  
6 INFORMATION. THE PERSON REQUESTING THE TOW OR TRANSPORT OF A VEHICLE SHALL  
7 AFFIRM IN WRITING THAT THE TOWING COMPANY INFORMED THEM OF THIS RIGHT. THE  
8 DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY SHALL PRESCRIBE THE FORM. THE  
9 TOWING COMPANY SHALL RETAIN THE FORM IN THE TOWING COMPANY'S RECORDS FOR A  
10 PERIOD OF THREE YEARS AND MAKE THE FORM AVAILABLE TO ANY LAW ENFORCEMENT  
11 AGENCY DURING NORMAL BUSINESS HOURS. THIS SECTION DOES NOT CREATE A PRIVATE  
12 RIGHT OR CAUSE OF ACTION TO OR ON BEHALF OF ANY PERSON."

13 Reletter to conform

14 Strike lines 39 through 43, insert:

15 "1. ATTEMPT TO INTIMIDATE, UNREASONABLY PERSUADE OR INDUCE THE PERSON  
16 REQUESTING THE TOW OR TRANSPORT OF A VEHICLE TO CHOOSE THE SERVICES OF THE  
17 VEHICLE REPAIR FACILITY RECOMMENDED BY THE TOWING COMPANY.

18 2. REFUSE TO TOW OR TRANSPORT THE VEHICLE UNLESS THE PERSON REQUESTING  
19 THE TOW OR TRANSPORT OF A VEHICLE AGREES TO THE VEHICLE REPAIR FACILITY  
20 RECOMMENDED BY THE TOWING COMPANY.

21 3. DELIVER A VEHICLE TO A VEHICLE REPAIR FACILITY OTHER THAN THE  
22 REPAIR FACILITY CHOSEN BY THE PERSON REQUESTING THE TOW OR TRANSPORT OF A  
23 VEHICLE.

24 H. NOTWITHSTANDING SUBSECTION G OF THIS SECTION, "GIFTS" DO NOT  
25 INCLUDE ITEMS OF NOMINAL VALUE."

26 Reletter to conform

27 Page 3, line 1, after "~~TOWING~~" strike remainder of line; strike line 2, insert "OR  
28 TRANSPORT OF VEHICLES OR VEHICLE REPAIR FACILITIES OWNED OR OPERATED BY A

1 STATEWIDE AUTOMOBILE MEMBERSHIP ASSOCIATION THAT IS TOWING OR TRANSPORTING  
2 ITS MEMBERS' VEHICLES IN"

3 Page 3, strike lines 17 and 18, insert:

4 "L. A PERSON WHO VIOLATES SUBSECTION G OF THIS SECTION IS GUILTY OF A  
5 PETTY OFFENSE. A PERSON WHO SUBSEQUENTLY VIOLATES THIS SECTION WITHIN A  
6 THIRTY-SIX MONTH PERIOD IS GUILTY OF A CLASS TWO MISDEMEANOR."

7 Amend title to conform

and, as so amended, it do pass

ANDY BIGGS  
Chairman

1291-trans

4/10/08

H:jjb